PRESIDENT'S RECOMMENDATION UNDER ARTICLES 117 AND 274 OF THE CONSTITUTION OF INDIA

[Copy of Letter No. 14-MT (3)/64, dated the 4th May, 1965 from Shri Nityanand Kanungo, Minister of Civil Aviation to the Secretary, Lok Sabha].

The President, having been informed of the subject matter of the Bill to provide for the institution of a Provident Fund for Seamen, recommends under article 117 (1) and 117 (3) read with article 274 (1) of the Constitution of India, the introduction of the said Bill in the Lok Sabha and also recommends to the Lok Sabha the consideration of the Bill.

FINANCIAL MEMORANDUM

The Seamen's Provident Fund Scheme, when framed, will be administered through a Board of Trustees. All expenses relating to the administration of the Fund will be met from the Administration Account of the Fund. Accordingly sub-clause (3) of clause 8 provides that every employer shall pay to the Board such sums of money as may be specified in the Scheme towards the cost of administering the Fund.

2. Pending the realisation of the administration charges from the employers, all expenses in connection with the establishment of the Fund will be incurred by the Central Government and treated as a loan, repayable, with interest, from the Administration Account of the Fund. The initial expenditure to be incurred by the Government by way of loan is estimated at about Rs. 1 lakh

MEMORANDUM REGARDING DELEGATED LEGISLATION

Sub-clause (1) of clause 3 of the Bill provides that the Central Government may, by notification in the Official Gazette, frame a scheme to be called the Seamen's Provident Fund Scheme for the purpose of instituting a provident fund for seamen employed under agreements with the crew. The matters which may be provided for in the Scheme have been specified in the Schedule; they *inter alia* relate to the time and manner in which contributions shall be made to the Fund, the manner in which accounts shall be kept, the conditions under which withdrawals from the Fund may be permitted, the registers and records to be maintained by employers and the fees to be levied for any of the purposes specified in the Schedule. These are matters of procedure and administrative detail and it is hardly practicable to provide for them in the Bill itself. The delegation of legislative power is, thus, of a normal character.

BILL No. 40 OF 1965

A Bill to amend the Delhi Motor Vechicles Taxation Act, 1962.

BE it enacted by Parliament in the Sixteenth Year of the Republic of India as follows :—

1. *Short title.*—This Act may be called the Delhi Motor Vehicles Taxation (Amendment) Act, 1965.

2. *Substitution of new section for section 20.*—For section 20 of the Delhi Motor Vehicles Taxation Act, 1962 (57 of 1962). (hereinafter referred to as the principal Act), the following section shall be substituted, namely :—

Utilization of the proceeds of tax.—"20. The proceeds of the tax collected under this Act (which shall form part of the Consolidated Fund of India) reduced by the cost of collection as determined by the Central Government shall, if Parliament by appropriation made by law in this behalf so provides, be paid to,—

(*i*) the Municipal Corporation of Delhi established under section 3 of the Delhi Municipal Corporation Act, 1957 (66 of 1957);

(*ii*) the New Delhi Municipal Committee established under section 11 of the Punjab Municipal Act, 1911. (Punjab Act 3 of 1911), as extended to Delhi; and

(*iii*) the Cantonment Board, Delhi, constituted under the the Cantonments Act, 1924 (2 of 1924),

for the performance of their respective functions under the said Acts and the payment shall be made in such proportion as may be prescribed.".

3. *Amendment of Schedule* I.—In Part A of Schedule I to the principal Act, in item III, for sub-item (*h*), the following sub-item shall be substituted, and shall be deemed always to have been substituted, namely :—

"(*h*) Vehicles the registered laden weight of which exceeds 10 tonnes.	The rate specified in (*g*) above *plus* Rs. 100 for every additional one tonne or part thereof in addition to 10 tonnes.".

STATEMENT OF OBJECTS AND REASONS

Under section 20 of the Delhi Motor Vehicles Taxation Act, 1962, the proceeds of the tax collected under that Act, reduced by the cost of collection, are paid to the Delhi Municipal Corporation and the New Delhi Municipal Committee in the prescribed proportion. At present, the Cantonment Board, Delhi. is not entitled to a share of the proceeds of such tax. Since, however, the tax on motor vehicles is being collected from the entire Union territory of Delhi (including the area within the jurisdiction of the Cantonment Board, Delhi) and a share of the proceeds of such tax is given to local bodies to enable them to meet the expenditure on the maintenance, etc., of roads, it is considered necessary that a portion of the proceeds of tax should be paid to the Cantonment Board, Delhi, also. Section 20 of the Act is proposed to be suitably substituted for the purpose.

Opportunity is also being taken to amend item III (*h*) of Part A of Schedule I to the Act to make the intention clear.

NEW DELHI;
The 1st May, 1965.

RAJ BAHADUR.

S. L. SHAKDHER,
Secretary.

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